

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
STORM, Kevin H. <i>et al.</i>)
) Group Art Unit: 1615
Application No.: 09/689,483)
) Confirmation No: 9497
Filed: 12 October 2000)
)
For: NOVEL METHOD OF TREATMENT) Examiner: LEVY, Neil S.
)
)

COMMISSIONER FOR PATENTS
P.O. BOX 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §1.321

Sir:

Beecham Pharmaceuticals Limited, a company organized under the laws of the Singapore, having its registered office and principal place of business as 38 Quality Road, Jurong Industrial Estate, Singapore 618809, represents that it is the assignee as recorded on 3 January 2001, Reel 011482, Frame 0836, of the present application, Serial Number 09/689,483, filed on the 12th day of October, 2000 for "Novel Method of Treatment". The present application (P32685) is related as a continuation-in-part of US application Serial Number 09/544,019, filed 6 April 2000 (P32554) (now US Patent 6,878,386). Assignee also represents that it is the assignee of record in US Patent 6,756,057, by virtue of an assignment filed in US application Serial Number 10/462,066 and recorded on 11 March 2002, at Reel 012704, and Frame 0572.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 USC §154 and §156 and of the term as presently shortened by any terminal disclaimer of US Patent 6,756,057, and hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to said patent

shall be the same as the legal title to US Patent 6,756,057. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim any terminal part of any patent granted on the present application prior to the expiration date of the earlier of the full statutory term defined in 35 USC §154 and of the term as presently shortened by any terminal disclaimer of US Patent 6,756,057 in the event that US Patent 6,756,057 is abandoned, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 USC §154 prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. This disclaimer shall not be effective against any patent term extensions obtained under 35 USC §156 for any patent granted on the present application.

Please charge the \$110.00 fee required by this Terminal Disclaimer under 37 CFR 1.20(d) to Deposit Account Number 19-2570.

Also should the Commissioner determine that said fee is not sufficient to have this paper entered, the Commissioner is hereby authorized to charge any such fee that may be required by this petition or to credit any over payment to said deposit account.

Dated: 9 February 2007

Respectfully submitted,



Dara L. Dinner
Attorney for Applicants
Registration No. 33,680

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5017 Facsimile (610) 270-5090